



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during January 2009
DISTRIBUTED: February 3, 2009

This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or Peter.J.Carney@Maine.gov for additional information regarding the activities listed in this report. The full text of most Administrative Consent Agreements is available on the Board of Environmental Protection's website at <http://www.maine.gov/dep/bep/agenda.htm>. If you are receiving this report via regular mail, but would prefer to receive an electronic version, please send an email to the above address with your contact information.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

Administrative Consent Agreements Approved by the Board of Environmental Protection and Office of the Attorney General (party followed by location):

Air:

Husson University, Bangor, Maine. Husson University ("Husson") violated provisions of its Department-issued Air Emission License by failing to submit annual and semi-annual reports to the Department and failing to amend the facility's license prior to installing two new boilers. To resolve the violations, Husson paid \$4,500 as a civil monetary penalty.

Hazardous Waste:

Environmental Projects, Inc., Auburn, Maine. Environmental Projects, Inc. ("EPI") violated provisions of the *Maine Hazardous Waste, Septage and Solid Waste Management Act* and the Department's rules concerning *Standards for Generators of Hazardous Waste*. Specifically, EPI: failed to mark a container of hazardous waste with the words "Hazardous Waste"; failed to submit a quarterly hazardous waste transporters report and applicable fees for the first quarter of 2008; acted as a hazardous waste transfer facility without a license to do so; stored hazardous waste off the site of generation without a license; failed to inform the Department that three of the company's operators were no longer employed by EPI; failed to return to the Department license certificates of operators no longer employed by EPI; and failed to maintain three years of land disposal restriction forms on file at the facility. Following Department involvement, EPI submitted a written response to the Department indicating that it initiated corrective actions including: proper labeling and removal of hazardous waste stored at the facility; managing hazardous waste generated through equipment cleaning at the EPI facility as a hazardous waste generated by EPI; submitting the required hazardous waste transporter quarterly report and fees for first quarter 2008; and submitted requested land disposal restriction forms. To resolve the violations, EPI will pay \$24,000 as a civil monetary penalty. Of the \$24,000 penalty, \$12,200 is being used to complete a Supplemental Environmental Project involving the removal of several thousand loose and OEM-cased cathode ray tubes from a site in Auburn.

Land:

Louisa Ives, Vinalhaven, Maine. Louisa Ives ("Ives") violated provisions of Maine's *Natural Resources Protection Act* by removing or displacing, or causing to be removed or displaced, vegetation and soil adjacent to a coastal wetland without first obtaining a permit from the Department and Maine's *Erosion and Sedimentation Control* law by conducting, or causing to be conducted, an activity that involves filling, displacing, or exposing soil without first taking measures to prevent unreasonable erosion or sediment beyond the project site or into a protected natural resource. Specifically, approximately 2000 square feet of vegetation and soil was removed or displaced within seventy five feet of a coastal wetland on property owned by Ives. At the time of a Department inspection, insufficient erosion controls were installed on the site. Following Department involvement, Ives stabilized the site.



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during January 2009
DISTRIBUTED: February 3, 2009

This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or Peter.J.Carney@Maine.gov for additional information regarding the activities listed in this report. The full text of most Administrative Consent Agreements is available on the Board of Environmental Protection's website at <http://www.maine.gov/dep/bep/agenda.htm>. If you are receiving this report via regular mail, but would prefer to receive an electronic version, please send an email to the above address with your contact information.

with native vegetation to the satisfaction of Department staff. To resolve the violations, Ives paid \$1,300 as a civil monetary penalty.

Jacob Thompson, Vinalhaven, Maine. Jacob Thompson ("Thompson") violated provisions of Maine's *Natural Resources Protection Act* by removing or displacing, or causing to be removed or displaced, vegetation and soil adjacent to a coastal wetland without first obtaining a permit from the Department and Maine's *Erosion and Sedimentation Control* law by conducting, or causing to be conducted, an activity that involves filling, displacing, or exposing soil without first taking measures to prevent unreasonable erosion or sediment beyond the project site or into a protected natural resource. Specifically, approximately 10,000 square feet of vegetation and soil was removed or displaced within seventy five feet of a coastal wetland on property owned by Thompson. At the time of a Department inspection, no erosion controls were installed on the site. Following Department involvement, Thompson stabilized the site with native vegetation to the satisfaction of Department staff. To resolve the violations, Thompson paid \$1,425 as a civil monetary penalty.